

Application No. (if known): 10/530,788

Attorney Docket No.: 04304/0202752-US0

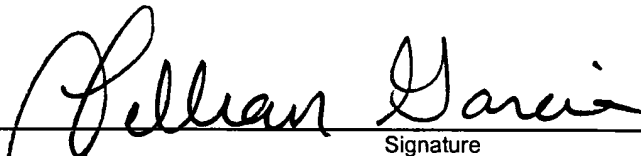
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MS **PCT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 22, 2005
Date



Signature

Lillian Garcia

Typed or printed name of person signing Certificate

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Response to Notification of Missing Requirements Under 35 U.S.C
371 in the United States Designated/Elected Office (2pp)

Copy of Notification (2pp)

Copy of Certificate of Express Mailing dated May 25, 2005 (1pp),
copy of Form PTO 1390 - 2nd Submission (2pp), copy of combined
declaration/power of attorney (4pp) and copy of acknowledged
return receipt postcard
Return receipt postcard

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Dated: _____

Docket No.: 04304/0202752-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anna L. Cavalcanti et al.

Application No.: 10/530,788

Confirmation No.: 9377

Filed: April 8, 2005

Art Unit: N/A

For: ACCESSORY ARRANGEMENT FOR A
REFRIGERATOR DOOR AND CAN HOLDER
FOR A REFRIGERATOR

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office – date mailed August 12, 2005, enclosed is a copy of the Second/Subsequent Submission (Form PTO 1390) mailed May 25, 2005. Copies of the Certificate of Express Mailing Under 37 CFR 1.10, copies of the combined declaration/power of attorney and acknowledged return receipt postcard both dated May 25, 2005 are also enclosed. Applicants respectfully request Acceptance of this application as of May 25, 2005. A copy of the Notification of Missing Requirements is also enclosed.

It is believed that no fee is due. However, the Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: September 22, 2005

Respectfully submitted,

By  ^{ELYN BANATSON}
(53,970)
Louis J. DelJuidice

Registration No.: 47,522
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

I. Hildreth

UNITED STATES DEPARTMENT OF COMMERCE
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 Alexandria, Virginia 22313-1450
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| | | |
|-----------------------------|-----------------------|-------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/530,788 | Anna L CAVALCANTI | 04304/0202752-USO |

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/BR03/00143 | |
| IA. FILING DATE | PRIORITY DATE |
| 10/01/2003 | |

07278
 DARBY & DARBY P.C.
 P. O. BOX 5257
 NEW YORK, NY 10150-5257

DUE: Oct. 12, 2005
 Docketed on 2/2/05 by L16 for
 Docketed without file ☐
 Attorney _____

CONFIRMATION NO. 9377
 371 FORMALITIES LETTER



OC000000016746116

Date Mailed: 08/12/2005

3/12/06

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/08/2005
- Copy of the International Search Report filed on 04/08/2005
- Copy of IPE Report filed on 04/08/2005
- Preliminary Amendments filed on 04/08/2005
- Information Disclosure Statements filed on 04/08/2005
- U.S. Basic National Fees filed on 04/08/2005
- Priority Documents filed on 04/08/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|-------------------|
| 10/530,788 | PCT/BR03/00143 | 04304/0202752-US0 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

pt of:

Appln: 10/530,788

Filed: Apr. 8, 2005

Documents

Certificate of Express Mailing (1pp)

Combined Declaration/Power of Attorney (4pp)

Assignment and Recordation Form (5pp)

Check in the amount of \$770.00

JC10 Rec'd PCT/PTO 25 MAY 2005

Via: Express Mail: Airbill No.

Sender Initials: JRR/ih **Date:** May 25, 2005

L16

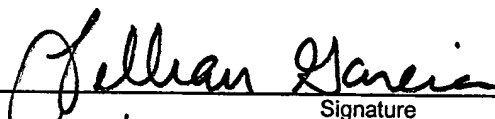
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Alexandria, VA 22313-1450

on May 25, 2005
Date



Signature

Lillian Garcia

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Oath or declaration of the inventor(s) (4pp)

Assignment (3 pages)

Transmittal Letter to the United States Designated-Elected Office

Recordation Form Cover Sheet (2pp)

Check in the amount of \$770.00

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8714

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| | | |
|---|--|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 04304/0202752-US0 |
| INTERNATIONAL APPLICATION NO. PCT/BR2003/000143 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/530,788 |
| INTERNATIONAL FILING DATE 1 October 2003 | | PRIORITY DATE CLAIMED 18 October 2002 |
| TITLE OF INVENTION ACCESSORY ARRANGEMENT FOR A REFRIGERATOR DOOR AND CAN HOLDER FOR A REFRIGERATOR | | |
| APPLICANT(S) FOR DO/EO/US Anna L. Cavalcanti et al. | | |


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Certificate of Express Mailing; Return receipt postcard

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|--|--------------|---|---|--|---------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/530,788 | | INTERNATIONAL APPLICATION NO. PCT/BR2003/000143 | | ATTORNEY'S DOCKET NUMBER 04304/0202752-USO | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| | | | | | |
| 21. <input type="checkbox"/> Basic national fee \$300 | | | | \$ | |
| 22. <input checked="" type="checkbox"/> Examination fee | | | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 | | | | | |
| All other situations \$200 | | | | \$ | 200.00 |
| 23. <input checked="" type="checkbox"/> Search fee | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 | | | | | |
| International Search Report prepared and provided to the Office \$400 | | | | | |
| All other situations \$500 | | | | \$ | 400.00 |
| TOTAL OF 21, 22 and 23 = | | | | \$ | 600.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | \$ | 130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 19 - 20 = | | x | \$ | 0.00 |
| Independent claims | 2 - 3 = | | x | \$ | 0.00 |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | | + | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 730.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ | 730.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$ | 730.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$ |
| TOTAL FEES ENCLOSED = | | | | \$ | 770.00 |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>770.00</u> to cover the above fees is enclosed. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0100</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| Joseph R. Robinson DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783 CUSTOMER NUMBER: 07278 | | |  SIGNATURE: _____ Joseph R. Robinson NAME _____ 33,448 REGISTRATION NUMBER _____ | | |